REMARKS

Claims 1-22 are pending in the application and stand rejected. Claims 1 and 12 are currently amended.

Claim Rejection - 35 U.S.C. § 101

Claim 12 is rejected as being directed to non-statutory subject matter. The Examiner contends that claim 12 defines software embodying functional descriptive material. Applicant respectfully disagrees.

The Examier should note that claim 12 is directed to a "program storage device", and not only software, per se. Applicant's specification teaches that a *progarm storage device* may be ROM, ROM Flash memory, etc., having program instructions tangibly embodied thereon. It is not understood why the Examiner would request that the preamble be amended to essentially recite a "*computer program product tangibly embodying a program of instructions stored on a computer readable storage medium*". Indeed, the suggested language "a computer program product" seems to be more of a direct claim to software than a "program storage device" as currently claimed.

Applicant gratefully acknoweldges the Examiner's suggestion to amend the claims to overcome the 101 rejection. However, for reasons discussed above, such amendment is seemingly not necessary, and would require Applicant to amendment the preambles of all claims 12-22, not simply claim 12 as noted. In this regard, Applicant respectfully requests withdrawal of this rejections.

Claim Rejection - 35 U.S.C. § 102

Claims 1-2, 6, 8-13, 17 and 19-22 are rejected as being anticipated by Takeo (US Patent No. 7,162,061). Applicant respectfully traverses this rejection. Takeo's teachings are fundamentally different from the claimed inventions. At the very least, with regard to claims 1 and 12, Takeo clearly does not disclose or suggest "*adding a false mark in the image data*" within the scope and meaning of the claimed invention.

Takeo discloses in Col. 13, lines 65-67 a process by which an individual reading detection results can cancel an erroneous detection result or can otherwise manually add an abnormal pattern indication to an output image if the individual determines that the abnomal pattern detection processor did not detect an abnormal pattern. This teaching is essentially irrelevant to the claimed subject matter regarding "*adding a false mark in the image data*".

Notwithstanding the above, the claims have been amended for the sole purpose to further clarify the seemingly clear distinctions of the claimed inventions over the cited art of record. Clearly, Takeo does not disclose or suggest *automatically and purposefully adding a false mark in the image data to compel manual review of marked image data,* as recited in claims 1 and 12.

Accordingly, claims 1 and 12 are patenably distinct and patentable over Takeo. Moreover, without elaboration, claims 2, 6, 8-11, 13, 17 and 19-22 are patentable over Takeo at least by virtue of their dependence from respective base claims 1 and 12. Withdrawal of the anticipation rejections is respectfully requested.

Claim Rejection - 35 U.S.C. § 103

Claims 3-5, 7, 14-16 and 18 are rejected as being unpatentable over Takeo in view of Ishiguro (US. Patent No. 6,108,439). These rejections are legally deficient as a matter of law by virtue of the deficiencies of Takeo as discussed above with regard to claims 1 and 12, which deficiencies are not cured by the teachings of Ishiguro. The Examiner contends that Ishiguro teaches in Col. 14, lines 22-37 *"fixed number of false marks are added to random locations in the image data"*. Applicant respectfully disagrees with the Examiner's characterization of "false marks" as applied to Ishiguro in this regard. Ishiguro discloses in the cited section a process of adding markers such as position and area markers to ultrasound images. These "marks" have nothing at all to do with marks that are used to mark abnormal anatomical features/patterns, etc.

Accordingly, for at least the above reaons, the obviosness rejections should be withdrawn.

Respectfully submitted,

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